

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

#### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

#### SCHEDULE

Mr. REID. Madam President, following leader remarks, Senator DURBIN will be recognized to speak for 10 minutes. Following his remarks, the Senate will resume consideration of the motion to proceed to the DREAM Act. The time until 11 a.m. will be equally divided and controlled between the two leaders or their designees.

At 11 a.m., the Senate will proceed to a series of two to three rollcall votes. The first vote will be on the motion to invoke cloture on the motion to proceed to the DREAM Act. If cloture is not invoked, the second vote would be on the motion to invoke cloture on the motion to proceed to H.R. 847, the James Zadroga 9/11 Health and Compensation Act. If cloture is not invoked on the 9/11 bill, I may move to reconsider the previously failed cloture vote on the motion to proceed. And then, of course, we have—what I have said here, Madam President, is if we do not invoke cloture on the 9/11 bill, I will likely move to reconsider that vote, so we can move to that at some subsequent time. And I also will likely sometime today move to reconsider the previously failed cloture vote on the motion to proceed to the Defense authorization bill.

Several Senators will deliver their farewell speeches to the Senate today. Senator BENNETT of Utah will deliver his remarks following the votes this morning. Senator BUNNING will speak at 1 p.m. today, and Senator DORGAN will deliver his remarks at 2 p.m. this afternoon.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### UNANIMOUS-CONSENT REQUEST—S. 3992

Mr. REID. Madam President, we have a piece of legislation that passed last night in the House of Representatives. I received a call last night, I guess around 9:30 or 10 o'clock, from both the majority leader and the Speaker that the so-called DREAM Act had passed in the House. That changes things over here. It changes things because we had

been toiling on this for a long time, and now that it has passed the House, the appropriate way to proceed would be to have a vote on that matter, because if we are able to pass it, it goes directly to the President.

Having said that, I think it would be futile for us to have a vote on a motion to invoke cloture on a bill we know will not matter. So what we will do is, I am going to ask consent to vitiate the vote that is scheduled for 11 o'clock on the DREAM Act, and to alert everyone, we have not given up on the DREAM Act. Quite the opposite. It having passed the House gives us more energy to move forward on this most important piece of legislation.

The stories that relate to this DREAM Act are compelling to me, of these young men and women who want to be able to complete their education, want to be able to go into the military and serve their country and, in the process, they are not guaranteed citizenship, they are guaranteed that they will not be arrested or deported. They will be given a green card to prove that they are eligible for citizenship. So we are going to proceed and do everything we can to pass what the House did.

Having said that, Madam President, I ask unanimous consent that the vote scheduled on the DREAM Act at 11 o'clock be vitiated.

The ACTING PRESIDENT pro tempore. Is there objection?

The Senator from Georgia.

Mr. ISAKSON. Madam President, on behalf of our leadership, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. REID. Madam President, it is my understanding Senator DURBIN is to be recognized at this time for up to 10 minutes.

The ACTING PRESIDENT pro tempore. That is correct.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

Under the previous order, the Senator from Illinois is recognized to speak for up to 10 minutes.

Mr. DURBIN. Thank you, Madam President.

#### DREAM ACT

Mr. DURBIN. Madam President, 10 years ago, I received a telephone call in my Chicago office that I have recounted on this floor many times. But it started me on a journey that resulted in where we stand today on the passage of the DREAM Act. It was a phone call from a Korean-American mother with an amazing daughter who was a musical prodigy who had been accepted at the Juilliard School of music in the Acting President pro tempore's home State of New York.

This excited young woman, in filling out the application, came to the question about her citizenship and nation-

ality and turned to her mother and said: What do I put here? And her mother had to tell her the sad news that when that young girl was brought to America from Korea, at the age of 2, the mother did not file any papers and so that young girl was literally undocumented, literally illegal in the eyes of some.

She asked us for help. What can we do to help in this situation? Here was a bright young woman, with a bright future, who had done everything right and excelled in so many ways. We contacted the Immigration Service and they said: It is too bad. Under American law, this young girl—who never consciously did anything wrong in her life—was a person without a country. Her only recourse at the age of 18 was to return to Korea—a country she had no knowledge of, could not speak the language, and had never visited anytime in her life.

When I heard about that, I thought that was fundamentally unfair. This young woman did nothing wrong. The mother made the mistake. The mother did not file the papers. And now her life was in shambles, and uncertain because of it.

So I put in a bill which basically said: If you are in that situation, where you were brought to America at a young age, and then proceed to do the right thing with your life—go to school, make certain you were a good member of your community—we will give you a chance when you have graduated from high school, a chance to prove yourself, that you were going to be a good citizen in America.

You could prove it one of two ways. You could do a noble act for America, stand up and volunteer to serve in our Armed Forces, literally prepared to risk your life for this great Nation—and if you did that, then we would put you on the path to legalization—or if you didn't choose the military service, you could prove it by your educational achievement.

Now, most of the people we are talking about are not Korean or Polish or Filipino. They are Hispanic, and the numbers tell us the odds are against the young people we are talking about. Half of them don't finish high school. Only 5 percent of these undocumented students end up going into a college of any kind. Think about those odds: 50-50 that you will finish high school and 1 out of 20 that you will even enter college.

So we put up a high wall and said: You have to clear this wall to prove that you are not only a good person but that you desperately want to be part of America's future. That is the DREAM Act.

In the process we said: We are going to ask you more questions than we ask of a Congressman or a Senator. We are going to ask questions about your background, your moral character, your knowledge of English. We are going to follow you closely and carefully, and if you stumble along the

way, we can't help you. It is a very strict standard we impose, but it is one that these young people are anxious to meet.

These young people who will be affected by the DREAM Act are some of the most amazing, inspiring people I have ever met. From the Presiding Officer's home State of New York, as a young man, Cesar Vargas—I told his story on the Senate floor yesterday—came to America from Mexico at the age of 5. He went through school. Then, on 9/11, he was so angry about what happened in the Presiding Officer's city of New York, he went to the recruiter and said: I want to enlist in the military. I want to serve and defend this country against terrorism.

They said: Mr. Vargas, you can't because you are undocumented. You can't join because, you see, our military has not waived the requirement of legal status for those who want to enlist. So he continued his education. He is now in his second or third year at the New York University Law School. I have met him. He is an extraordinary man. He speaks five languages. As the Presiding Officer knows, he could be a catch for a law firm—this young man, with all of these skills and all that drive. That is not his goal. He wants to be a part of our military still, to be a lawyer in the military today. That is his ambition.

He is a DREAM Act young man. Why would we say no to him? Why would we turn our backs on him and say: We don't need you. We know better. The Secretary of Defense, Robert Gates, has said: Yes, we need him and many more like him who can come into our military and make a better and stronger and more diverse military and build up a tradition of service in the military which will extend for generations forward. Secretary Gates knows the DREAM Act is in the best interests of the defense of America.

Secretary Arne Duncan, our Education Secretary, appeared with me yesterday and said these young people who have overcome the odds and finished high school and want to go to college and be lawyers and engineers and doctors and teachers are the people who can build our base of success in the future. Why would we turn them away? At a time when we are debating about importing talent from other countries to meet our needs in America, why would we turn away the talent in America, those who are here today and only asking for a chance?

Last night, in the House of Representatives, there was an amazing vote, an incredible vote, passing the DREAM Act. I believe it is the first time it has passed the House of Representatives. I want to credit my colleague and great friend, Congressman LUIS GUTIERREZ, who worked night and day, and I also wish to thank the men and women of the House who showed the courage to vote for it. One of them called me late last night and was emotional about this decision, wondering if

it would have a long-term impact on his political career. But that Congressman had the courage to step up and do it.

Now the question is, Will we have the courage to do the same? Our leader, Majority Leader REID, has asked to vitiate the rollcall vote this morning, which is basically putting it aside, because he believes the bill is not a bill that is viable under the circumstances now that the House bill has passed. The minority leader, Senator MCCONNELL, has come to the Senate floor repeatedly and said we should not be having these so-called symbolic votes, even on the DREAM Act. This morning, Senator REID said: Let's take a symbolic vote off the calendar and wait until we receive the House message. There was an objection from the Republican side so, clearly, they are arguing it from both sides.

Be that as it may, we owe it to the young men and women whose lives will be affected, we owe it to America who needs their service in the military and needs their skill in building our economy to honestly address this issue and ask Members of both sides to sit down, pause, and reflect as to whether we can afford to say to these talented young men and women: There is no place in America for you.

There is a place. There is a place for them, as there was a place for my mother, who came to this country at the age of 2 as an immigrant, whose mother and father could barely speak the English language but who eventually gave birth to a son who stands here today as the Senator from the State of Illinois. My story is an American story, and the story of these DREAM Act students is an American story of fighting against the odds, of coming from other places, determined to be a part of this great Nation and making a contribution that makes a difference.

I pray my colleagues will reflect on what happened last night—the historic vote of passing the DREAM Act—and that before this Congress packs up and leaves, we will address this issue and pass it too.

I see the minority leader is on the floor.

Madam President, I yield the floor.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

#### TRIBUTES TO RETIRING SENATORS

SAM BROWNBACK

Mr. MCCONNELL. Madam President, I rise in tribute to my good friend and distinguished colleague, Senator SAM BROWNBACK, or I could also say Governor-elect SAM BROWNBACK of the great State of Kansas.

SAM promised his constituents that he wouldn't run for more than two full 6-year terms in the Senate, and SAM has honored that pledge.

Let me just say at the outset that SAM has been an outstanding Senator and an example of principled leadership to all of us. He has served the people of Kansas with great distinction and honor, and I am certain he will continue to do so as he takes on new challenges in Topeka.

SAM is a born leader. He was raised in the small town of Parker, KS, where his mom and dad still live and farm today, and his many talents were evident early on. In high school, he was State president of the Future Farmers of America. As an undergraduate at Kansas State University, he was elected president of the student body, and he was elected class president in law school, too, at the University of Kansas. After law school, SAM worked as a lawyer in Manhattan, KS, for 4 years before being appointed as the secretary of the Kansas Board of Agriculture.

From 1990 to 1991, SAM was accepted as a White House fellow under President George H.W. Bush, where he worked for the U.S. Trade Representative. Three years after that, he ran for Congress as part of the Republican revolution and was overwhelmingly elected to Kansas's Second District. It was the first time in SAM's life that Republicans had the majority in the Congress, and he was a part of it. He planned to make the most of it by focusing on limiting the size and reach of the Federal Government.

But SAM's tenure in the House was brief. In 1996, just 2 days after Senator Dole announced his plan to resign from the Senate to run for President, SAM announced he would seek the Republican nomination in a special election to serve out the final 2 years of Dole's term. SAM handily defeated the former Lieutenant Governor who had been appointed to fill Senator Dole's seat earlier that spring.

In the general election, SAM's campaign message was simple. He called it the three Rs: reduce, reform, and return:

Reduce the size of and scope of the Federal Government. Reform Congress. Return to the basic values that had built the country: work and family and the recognition of a higher moral authority.

SAM's message resonated with the people, many of whom feared their government had become, as SAM stated, "their master, not their servant," and easily defeated his opponent with 54 percent of the vote. SAM would go on to be reelected to full terms in 1998 and 2004, capturing an astounding 65 and 69 percent of the vote.

While in the Senate, SAM has been a leader among his peers. He has been outspoken and has fought hard for the people of Kansas and for the underprivileged around the world.

SAM is an ardent defender of life and of the protection of the unborn. "I see it as the lead moral issue of our day,"